

### **REMARKS/ARGUMENTS**

Applicant has reviewed and analyzed the Office Action dated July 9, 2008, and provides the following remarks and comments in response thereto. Claims 1, 2, 4, 5, 7, 8, 10, 11, 13, 14, 16-20 and 22 have been amended. No new matter has been added. Claims 1, 2, 4-8, 10-14 and 16-22 remain pending.

#### ***Claim Rejections Under 35 U.S.C. §103***

Claims 1, 2, 4-8, 10-14 and 16-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over by Ficco (U.S. Patent Pub. No. 2005/0166224, "Ficco") in view of Blanz *et al.* (U.S. Patent No. 6,556,196, "Blanz"). This rejection is respectfully traversed for the following reasons.

Claim 1 recites, *inter alia*,

"...identifying the 2-D image within the first advertisement, wherein the 2-D image is identified based on one or more characteristics of the 2-D image and exclusively at a viewer's equipment; looking-up a matching 3-D object in an image library using a look-up table, wherein the library comprises one or more 3-D objects; and using the matching 3-D object to generate an enhanced first advertisement, wherein the enhanced first advertisement has a 3-D highlighted rendering of the image produced by pushing the 3-D object into the 2-D image, and further wherein said 3-D highlighted rendering of the image comprises a portion of the original 2-D image and said 3-D object..."

Contrary to the Office Action's assertions, Ficco does not teach or suggest looking up a matching 3-D object from an image library, wherein the 3-D object is used to generate a 3-D highlighted rendering of a 2-D image in an advertisement included in a 2-D video broadcast. The Action asserts, at pp. 2-3, that Ficco describes looking up a wire frame model or texture map for adapting a 2D image. Even assuming, without conceding, that such assertions are valid and that a wireframe model corresponds to a 3-D model, Applicant submits that Ficco does not teach or suggest selection of an ad segment from memory to *adapt* a broadcast advertisement. Rather, Ficco's ad selection is used when a broadcast advertisement is to be *replaced*. See also p. 2, para. [0023]. Indeed, Ficco specifically states that ad processing of a broadcast advertisement is performed *instead of* an ad selection process. p. 4, para. [0051] (stating "Instead of an ad selection process, the apparatus of FIG. 3 generally performs ad processing in order to adapt the

advertisement to the recipient.”). Thus, Ficco fails to teach or suggest the features as recited in claim 1.

At best, Ficco describes choosing another texture map (e.g., an image of Kathy Ireland), i.e., not a 3-D object, to replace the image of the original model in an advertisement. For example, Ficco describes that a new texture map is mapped onto the *same/original* wireframe and that wireframe data may be transmitted *along with the broadcast advertisement*. Clearly, Ficco describes use of the same or original alleged 3-D object (i.e., the wireframe), thereby eliminating a need, reason or motivation to look-up a matching wireframe model when processing a broadcast advertisement. *See, e.g.*, p. 6, para. [0090] (stating that “Johnny Unitas could be texture mapped onto a wireframe model *of the original quarterback* in a broadcast football game.”). (Emphasis Added). Accordingly, Ficco clearly fails to teach or suggest each and every feature of claim 1. Claim 1 is thus allowable for at least these reasons.

Claims 7, 13 and 19 recite features similar to those discussed above with respect to claim 1 and are thus allowable for at least the same reasons as claim 1.

Claims 2-5, 8-11, 14-17 and 20-22 are dependent on claims 1, 7, 13 and 19, respectively, and are thus allowable for at least the same reasons as their base independent claim and further in view of the novel and non-obvious features recited therein.

**CONCLUSION**

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3156.

Respectfully submitted,  
BANNER & WITCOFF, LTD.

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